

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DEBORAH YOUNG, Individually and as the  
Parent and natural guardian of MELISSA YOUNG,  
EMMALEE YOUNG and CECELIA YOUNG,

Plaintiffs,

-against-

SUFFOLK COUNTY; SUFFOLK COUNTY  
DEPARTMENT OF SOCIAL SERVICES;  
SUFFOLK COUNTY POLICE DEPARTMENT;  
MICHAEL DELGADO; JOSEPH QUATELA;  
EDMUND J. COPPA, Individually and EDMUND J.  
COPPA PHOTOGRAPHY; RAYMOND L. YOUNG;  
RAYMOND M YOUNG; NEWS 12; NEWSDAY,  
NEW YORK POST; NEW YORK DAILY NEWS;  
WCBSTV.COM,

Defendants.  
-----X

Docket No. CV-09-3325  
(JFB)(ARL)

**VERIFIED  
ANSWER TO  
AMENDED VERIFIED  
COMPLAINT**

Defendant, Joseph Quatela, by his attorneys, L'Abbate, Balkan, Colavita & Contini, L.L.P.,  
as and for his answer to the amended verified complaint, alleges, upon information and belief, as  
follows:

**JURISDICTION**

1. Denies having knowledge or information sufficient to form a belief as to the truth of  
the allegations contained in paragraph "1" of the amended verified complaint and refers all questions  
of law to this court.

2. Denies having knowledge or information sufficient to form a belief as to the truth of  
the allegations contained in paragraphs "2", "3", "4", "5", "6" and "7" of the amended verified

complaint.

3. Denies each and every allegation contained in paragraph "8" of the amended verified complaint, except admit that Raymond L. Young was a client of Quatela's Firm.

4. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs "9", "10", "11", "12", "13", "14", "15" and "16" of the amended verified complaint.

5. Denies each and every allegation contained in paragraph "17" of the amended verified complaint.

6. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs "18", "19" and "20" of the amended verified complaint.

7. Denies each and every allegation contained in paragraphs "21", "22", "23" and "24" of the amended verified complaint.

8. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs "25" and "26" of the amended verified complaint.

9. Denies each and every allegation contained in paragraphs “27”, “28”, “29” and “30” of the amended verified complaint.

10. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs “31” and “32” of the amended verified complaint.

11. Denies each and every allegation contained in paragraph “33” of the amended verified complaint.

12. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs “34”, “35” and “36” of the amended verified complaint.

13. Denies each and every allegation contained in paragraph “37” of the amended verified complaint.

14. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs “38” and “39” of the amended verified complaint.

15. Denies each and every allegation contained in paragraphs “40” and “41” of the amended verified complaint.

**AS TO THE FIRST CLAIM**

16. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "42" of the amended verified complaint.

17. Denies each and every allegation contained in paragraphs "43", "44", "45", "46", "47", "48", "49", "50", "51" and "52" of the amended verified complaint.

**AS TO THE SECOND CLAIM**

18. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "53" of the amended verified complaint.

19. Denies each and every allegation contained in paragraphs "54", "55", "56" and "57" of the amended verified complaint.

**AS TO THE THIRD CLAIM**

20. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "58" of the amended verified complaint.

21. Denies each and every allegation contained in paragraphs "59", "60", "61" and "62" of the amended verified complaint.

**AS TO THE FOURTH CLAIM**

22. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "63" of the amended verified complaint.

23. Denies each and every allegation contained in paragraphs "64", "65" and "66" of the amended verified complaint.

**AS TO THE FIFTH CLAIM**

24. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "67" of the amended verified complaint.

25. Denies each and every allegation contained in paragraphs "68", "69", "70" and "71" of the amended verified complaint.

**AS TO THE SIXTH CLAIM**

26. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "72" of the amended verified complaint.

27. Denies each and every allegation contained in paragraphs "73", "74", "75", "76" and "77" of the amended verified complaint.

**AS TO THE SEVENTH CLAIM**

28. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "78" of the amended verified complaint.

29. Denies each and every allegation contained in paragraphs "79", "80", "81", "82" and "83" of the amended verified complaint.

**AS TO THE EIGHTH CLAIM**

30. Repeats, reiterates and realleges each and every response applicable to the allegations set forth in paragraphs "1" through "84" of the amended verified complaint.

31. Denies each and every allegation contained in paragraph "85" of the amended verified complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

32. If the plaintiffs have been damaged as alleged herein, which damages are expressly denied, then said damages were caused solely by the virtue of the conduct of others over whom the answering defendant exercised no control.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

33. Each and every claim alleged herein is barred because there is not sufficient privity between plaintiff and the answering defendant.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

34. The complaint and each and every claim alleged against the defendant fails to state any claim upon which relief can be granted.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

35. If any damages have been sustained by plaintiffs, which damages are expressly denied, and all such damages will have been caused and/or brought about in whole or in part by the culpable conduct of the plaintiffs, and the recovery should be thereby diminished in the proportion to which plaintiffs' culpable conduct bears to the conduct which caused the alleged damages.

**AS AND FOR A FIFTH AFFIRMATIVE DEFENSE**

36. The answering defendant asserts a defense founded upon documentary evidence.

**AS AND FOR A SIXTH AFFIRMATIVE DEFENSE**

37. Plaintiffs' damages, if any, resulted from the intervening acts of third-parties not subject to the control or direction of the answering defendants.

**AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE**

38. The answering defendant's communications are protected by a qualified and/or absolute privilege.

**AS AND FOR A EIGHTH AFFIRMATIVE DEFENSE**

39. Plaintiffs may not maintain any of their alleged claims under the applicable doctrines of release, waiver and estoppel.

**WHEREFORE**, defendant Joseph Quatela demands judgment dismissing the amended verified complaint with prejudice, awarding the defendant the costs of this action, including attorney's fees, and awarding such other and further relief as this Court deems just and proper.

Dated: Garden City, New York  
November 2, 2009

Respectfully submitted,

L'ABBATE, BALKAN, COLAVITA  
& CONTINI, L.L.P.

By: 

SCOTT E. KOSSOVE (SEK 9812)  
Attorneys for Defendant  
JOSEPH QUATELA  
1001 Franklin Avenue  
Garden City, New York 11530  
(516) 294-8844  
File No. : 169L-94779

To: All Counsel via ECF





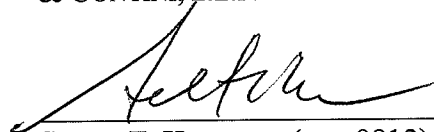
**CERTIFICATION OF SERVICE**

I hereby certify that Defendant Joseph Quatela's Verified Answer to Amended Verified Complaint was filed on this date to:

**ALL COUNSEL VIA ECF**

L'ABBATE, BALKAN, COLAVITA  
& CONTINI, L.L.P.

By:



SCOTT E. KOSSOVE (SEK 9812)  
Attorneys for Defendant  
JOSEPH QUATELA  
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Garden City, New York 11530  
(516) 294-8844  
File No. : 169L-94779

Dated: November 2, 2009